

**SUPREME COURT MINUTES
MONDAY, JANUARY 5, 2004
SAN FRANCISCO, CALIFORNIA**

S100099

A093094 First Appellate District,
Division One

QAWI ON H.C.

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the cause remanded for proceedings consistent with the opinion.

Majority Opinion by Moreno, J.
--- joined by George, C.J., Kennard, Baxter, Werdegar, Chin, JJ.
Dissenting Opinion by Brown, J.

S105483

B146633 Second Appellate District,
Division Four

MULDER v. PILOT AIR FREIGHT

Opinion filed: Judgment affirmed in full

Majority Opinion by George, C.J.
--- joined by Kennard, Chin, Moreno, JJ.
Dissenting Opinion by Brown, J.
--- joined by Baxter, Werdegar, JJ.

S105909

B146368 Second Appellate District,
Division Two

HAGBERG v. CALIFORNIA FEDERAL BANK

Opinion filed: Judgment affirmed in full

Majority Opinion by George, C.J.
--- joined by Kennard, Chin, Moreno, JJ.
Dissenting Opinion by Brown, J.
--- joined by Baxter, Werdegar, JJ.

S042660**PEOPLE v. DEMENT (RONNIE D.)**

Extension of time granted

to February 27, 2004 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S051342

PEOPLE v. CUNNINGHAM (JOHN)
Extension of time granted

to February 17, 2004 to file appellant's opening brief. After that date, only four further extensions totaling 240 additional days will be granted. Extension granted based upon Richard P. Stookey's representation that he anticipates filing the brief by 10-23-2004.

S054291

PEOPLE v. LEONARD (ERIC)
Extension of time granted

to February 2, 2004 to file appellant's opening brief. After that date, no further extension will be granted. Extension granted based upon counsel Wesley A. Van Winkle's representation that he anticipates filing the brief by 2-1-2004.

S074414

PEOPLE v. ZAMUDIO (SAMUEL J.)
Extension of time granted

to March 2, 2004 to file appellant's opening brief. After that date, only two further extensions totaling 120 additional days will be granted. Extension granted based upon Deputy State P.D. Peter R. Silten's representation that he anticipates filing the AOB by 6-30-2004.

S078664

PEOPLE v. AVILA (JOSEPH)
Extension of time granted

to February 27, 2004 to file appellant's opening brief. After that date, only four further extensions totaling 210 additional days will be granted. Extension granted based upon counsel Christine Levin's representation that she anticipates filing the brief by 9-29-2004.

S102652TAYLOR (ROBERT C.) ON H.C.
Extension of time granted

to January 26, 2004 to file informal response. After that date, only two further extensions totaling about 60 additional days will be granted. Extension granted based upon Deputy AG Kevin R. Vienna's representation that he anticipates filing the document by 4-1-2004.

S115823B158966 Second Appellate District,
Division TwoREYNOLDS v. BEMENT
Extensions of time granted (4)

- (1) to January 14, 2004 for California Retailers Association to file the amicus curiae brief in support of respondent. Answers may be filed w/in 20 days after the filing of the brief.
- (2) to January 14, 2004 for William E. Dombrowski to file the amicus curiae brief in support of respondent. Answers may be filed w/in 20 days after the filing of the brief.
- (3) to January 14, 2004 for Service Employees International Union AFL-CIO to file the amicus curiae brief in support of appellant. Answers may be filed w/in 20 days after the filing of the brief.
- (4) to January 14, 2004 for District Council of Iron Workers for the State of Calif. and Vicinity, and various other labor organizations to file the amicus curiae brief in support of appellants. Answers may be filed w/in 20 days after the filing of the brief.

S117032POLLOCK (MILTON RAY) ON H.C.
Extension of time granted

to January 26, 2004 to file the reply to the informal response. The court anticipates that after that date, only one further extension

totaling 30 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S025355

PEOPLE v. BRIDGES (EDWARD DEAN)
Withdrawal of counsel allowed by order

Good cause appearing, the application of attorney Robert V. Vallandigham, filed December 26, 2003, to file under seal his motion to withdraw (and supporting declaration) as appointed counsel of record for appellant Edward Dean Bridges on his now pending automatic appeal and related state habeas corpus/executive clemency proceedings, is granted.

Good cause appearing, the confidential application of appointed counsel for permission to withdraw as appellate and habeas corpus/executive clemency attorney of record for appellant Edward Dean Bridges, filed December 26, 2003, is granted.

The order appointing Robert V. Vallandigham as appellate/habeas corpus counsel of record for appellant Edward Dean Bridges, filed August 9, 1995, is hereby vacated.

Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, is hereby appointed to serve as interim appellate and habeas corpus/executive clemency counsel of record for appellant Edward Dean Bridges.

Robert V. Vallandigham is directed to deliver to Executive Director Michael G. Millman, within 30 days from the filing of this order, all clerk's and reporter's transcripts in *People v. Bridges* (S025355), habeas corpus investigation and appellate work product, trial files, and investigation reports and related materials obtained from appellant's trial counsel, paralegals, experts and investigators, or from any other source.

S004687PEOPLE v. COOPER (KEVIN)
Motion denied

The "expedited motion for modification of order to allow retained pro bono counsel to serve as lead counsel replacing previously appointed counsel," filed on behalf of condemned inmate Kevin Cooper on December 22, 2003 (supp. submission filed Dec. 29, 2003), is denied. (See *People v. Ortiz* (1990) 51 Cal.3d 975, 982.)

The lodged but unfiled portion of the supporting declaration of associate counsel David T. Alexander, submitted under seal, is hereby ordered returned.

S116554AVILA (JOHNNY) ON H.C.
Order filed

Respondent's "Request for Sealed Records Pursuant to Penal Code Section 987.9, subdivision (d)" is granted. The clerk is directed to provide the Attorney General with copies of the following items from the record on appeal in *People v. Johnny Avila, Jr.*, No. S045982, which shall otherwise remain under seal:

1. "Supplemental Clerk's Transcript on Appeal #1," volume 12 of 12, pages 3099-3102, 3110-3116, 3126-3263, and 3287-3605.
2. "Supplemental Clerk's Transcript on Appeal #7 Confidential Attorney Fee Requests, volume 1 of 1, pages 1-7."

The Attorney General is authorized to use these records solely in the pending proceeding. (Pen. Code, section 987.9, subd. (d).)

